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Date of Deposit: October 25, 2004

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: A. Chow et al.

Appln. No.: 10/822,437

Filed: April 12, 2004

For: Mechanically Activated Objects For  
Treatment Of Degenerative Retinal Disease

Attorney Docket No: 3614/204

Examiner: Unknown

Art Unit: 3762

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- Checks for \$215 (two month extension of time) and \$514 (missing parts filing fees); Transmittal Letter (in duplicate); Petition and Fee for Extension of Time (in duplicate); Response to Notice to File Missing Parts (in duplicate); Copy of Notice to File Missing Parts; Declaration; Letter to Official Draftsman; Eight Replacement Drawing Sheets
- Return Receipt Postcard

Fee calculation:

- No additional fee is required.
- Small Entity.
- An extension fee in an amount of \$215.00 for a two-month extension of time under 37 C.F.R. § 1.136(a).
- A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).
- An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 44=			x \$88=	
First Presentation of Multiple Dep. Claim					+\$150=			+\$300=	
					Total	\$		Total	\$

Fee payment:

- A check in the amount of \$\_\_\_\_\_ is enclosed.
- Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Kent E. Genin (Reg. No. 37,834)

10/25/2004

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Date of Deposit: October 25, 2004

Case No. 3614/204

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

A. Chow et al.

Serial No.: 10/822,437

Attention: Manager,  
Application Branch

Filed: April 12, 2004

For: MECHANICALLY  
ACTIVATED OBJECTS  
FOR TREATMENT OF  
DEGENERATIVE  
RETINAL DISEASE

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

Dear Sir:

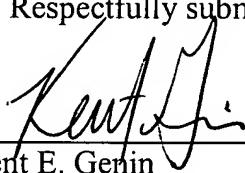
In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated June 23, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

- Fully executed Declaration for Patent Application.
- Applicant:
  - claims small entity status. See 37 CFR1.27.
  - is other than small entity
- Checks totaling \$514 for:
  - Filing Fee of \$395.
  - Surcharge of \$65.

- Additional Claim Fees of \$54.
- Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- Other: Submission Of Formal Drawings; 8 Replacement Drawing Sheets.
- The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Dated: October 25, 2004

Respectfully submitted,



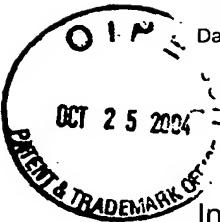
Kent E. Gerin  
Registration No. 37,834  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

"Express Mail" mailing label number EV 325 994 297 US

Date of Deposit: October 25, 2004

Our Case No. 3614/204



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
A. Chow et al. )  
Serial No. 10/822,437 ) Examiner: Unknown  
Filing Date: April 12, 2004 ) Group Art Unit No. 3762  
For MECHANICALLY ACTIVATED )  
OBJECTS FOR TREATMENT OF )  
DEGENERATIVE RETINAL )  
DISEASE )

### SUBMISSION OF FORMAL DRAWINGS

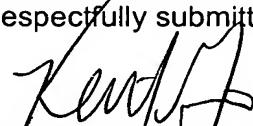
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn: Official Draftsman

Dear Sir:

Please substitute the enclosed 8 replacement sheets compliant with 37 C.F.R. §1.84 for the previously submitted drawings. Although only Figures 2-4 required replacement sheets, Applicant has enclosed a complete set of replacement sheets for clarity.

Respectfully submitted,

  
\_\_\_\_\_  
Kent E. Gerlin, Reg. No. 37,834  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200



## UNITED STATES PATENT AND TRADEMARK OFFICE

10-28-04

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/822,437	04/12/2004	Alan Y. Chow	3614/204

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610



CONFIRMATION NO. 1437

## FORMALITIES LETTER



\*OC000000013039321\*

Date Mailed: 06/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/27/2004 HALI11 00000013 10822437

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	395.00 OP
02 FC:2051	65.00 OP
03 FC:2202	54.00 OP

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 2-4.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$108** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$1008** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$108**
  - **\$108** for 6 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*13-501*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE